

UNITED STATES DISTRICT COURT
THE DISTRICT OF PUERTO RICO

ANGEL CHEVERE-GONZALES -
Petitioner

vs.

UNITED STATES OF AMERICA -
Respondent

CASE NO. _____

USDC NO. 3:97CR-245-78 *FLY*

MOTION FOR ENLARGEMENT OF TIME AND CLARIFICATION

COMES NOW, the aforesaid Petitioner pro se, to move this Honorable Court by a motion under Rules 6(a) and 7(a), Fed.R.Civ.P., for an enlargement of time and for clarification as to the final order.

Due to Petitioner's actual inability to speak English or trust any inmates of USP Coleman upon his arrival there, the order and letter being in English, Petitioner was able to obtain interpretation for the first time on 14 Nov. 05, then an inmate was requested to provide this motion. *Johnson v. Avery*, 393 U.S. 483, 21 L.Ed.2d 718, 89 S.Ct. 747 (1969).

Where Petitioner speaks no English in a English county and court system, has no knowledge of law, he is to be afforded the privileges of a pro se litigant as that described in *Haines v. Kerner*, 404 U.S. 519, 30 L.Ed.2d 652, 92 S.Ct. 594.

1. This Court docketed a pro se filing electronically, on 24 Aug. 05.
2. Immediately after this was filed, Movant was in transit to USP Coleman, FL where he now resides.
3. Upon his notice to move to USP Coleman, Movant filed a "NOTICE OF CHANGE OF ADDRESS" with both this Court, and that of the First Circuit Court of Appeals. This Court's was dated 29 Sept. 05 and the First Circuit's was dated 29 Sept. 05. See the attached page with all four documents on it.

4. Providing a person with a notice written in a language he does not speak or read, is the same as not serving that person at all. When he is acting as his own attorney, there is not attorney to represent him, this Court should note they have a non-English speaking person to provide notice to, that should include a translated copy to that pro se litigant.

5. The friend Petitioner knew from the street in Puerto Rico, consulted with a man that typed and did some legal work for people, and together, they formed this motion.

6. The full content of this motion was read to Petitioner in its entirety to verify the content as both true and correct, as well as what he needs to occur.

7. Petitioner desires to file certain matters with the court, that has passed as of now, because he could not read the content of the letters. At first blush, the interpretor thought the legal notice from this Court told Petitioner that he was getting a new trial, and now from the author of this action, he learned it was a denial for such motion.

8. Petitioner prays this honorable court will grant leave for him to file with this Court, the pleadings sought to be filed that he would have done had he known the order he received was really a final action or dismissal.

WHEREFORE, Petitioner prays this Honorable Court will GRANT this motion and allow Petitioner to file his papers and pleadings sought to be filed herein, now that someone is here to help interpret that he does know and trust, and a typist is available for conveyance of those pleadings to this Court.

Respectfully,

Angel Chevene Gonzales

Angel Chevene-Gonzales

16114-069

FCC, USP-1

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